17/165 4-22-03 D. Bell



RESPONSE UNDER 37 C.F.R. § 1.116 EXPEDITED PROCEDURE EXAMINING GROUP NO. 2873

00865.004345.1 (865.4345 DI)

Washington, D.C. 20231

#### **PATENT APPLICATION**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
AKIHISA HORIUCHI	Examiner: T. Thompson	
Appln. No.: 09/698,115	: Group Art Unit: 2873	
Filed: October 30, 2000	;	REC APR C 2800
For: ZOOM LENS AND OPTICAL APPARATUS USING THE SAME	: ) April 16, 2003 :	CEIV R 17
Commissioner for Patents  BOX AF		2003 2003

# SECOND INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed.

#### **REMARKS**

Applicant respectfully submits that the cited documents are publications corresponding to the priority applications of U.S. Patent No. 6,226,130 B1 (Mukaiya, et al.), which U.S. patent was relied upon in the January 31, 2003, Official Action. Abstracts for the cited documents were obtained from a commercial database and are also enclosed.

### **FORMAL MATTERS**

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.

## **CONCLUSION**

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Attorney for Applicant

Registration No. 37, 838

FITZPATRICK, CELLA, HARPER & SCINTO 30 Rockefeller Plaza New York, New York 10112-3801 Facsimile: (212) 218-2200

DSG/llp DC\_MAIN 129902

FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)  Submitted: April 16, 2003		ATTY DOCKET NO. 00865.004345.1 (865.4345 DI)	APPLIC	ATION NO. <b>09/698</b>	,115		
		APPLICANT AKIHISA H					
		FILING DATE October 30, 2000		GROUP <b>2873</b>			
Т Т		<del></del>	U.S. PATENT DOCUMENTS				
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLAS	FILING DATE	
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	DOCUMENT NUMBER	DATE	FOREIGN PATENT DOCUMENTS  COUNTRY			TRANSLATION	
	9-281390	10/31/97		CLASS	SUBCLASS	OR ABSTRACT	
	9-281391	10/31/97	Japan Japan			Abstract	
	9-304698	11/28/97	Japan			Abstract Abstract	
						ABOUGU	
		OTHER DOCUMENT	(S) (Including Author, Title, Date, Pertinent Pages, Etc.)				
XAMINER			DATE CONSIDERED				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.